IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 07-

:

v. : DATE FILED:

:

RONALD S. SMITH, : VIOLATIONS:

a/k/a "Smitty" : 18 U.S.C. § 1951(a) (Hobbs Act extortion -

HOWARD L. GRANT, : 1 count)

a/k/a "E," : 21 U.S.C. § 846 (conspiracy to distribute

a/k/a "Eon," : marijuana -2 counts)

a/k/a "Eyan" : 21 U.S.C. § 841(a)(1) (distributing

: marijuana - 2 counts)

21 U.S.C. § 860(a) (distributingmarijuana near a school - 1 count)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

- 1. The Pennsylvania Department of Corrections ("the PDC") was a branch of the government of the Commonwealth of Pennsylvania.
- 2. The State Correctional Institution at Graterford ("SCI Graterford") was part of the PDC and was located in Graterford, Pennsylvania, in the Eastern District of Pennsylvania. SCI Graterford housed prisoners convicted of criminal conduct in the courts of the Commonwealth of Pennsylvania.
- Defendant RONALD S. SMITH was a corrections officer at SCI
 Graterford.
 - 4. An individual known to the grand jury and identified here as C.W. was an

inmate at SCI Graterford serving a sentence for murder.

- Corrections officers were responsible for guarding the prisoners housed at SCI Graterford.
- 6. Corrections officers at SCI Graterford were required to follow the rules and regulations established for the operation of the prison and to ensure that prisoners followed these rules and regulations.
- 7. The PDC required all prison employees, including corrections officers, to abide by the Department of Corrections Code of Ethics which explicitly prohibited the following:
- a. "any personal business transaction or private arrangements for personal profit which accrues from or is based upon his/her official position or authority. The scope of this provision shall include prohibition against entering into any type of business transaction or private arrangements with inmates;"
- b. "solicit[ing], accept[ing], or agree[ing] to accept any gift of money or goods, loans or services for personal benefit which would influence the performance of their work duties or decision making. Correctional employees shall not accept or perform favors or accept or distribute any gifts, money or loans to or from inmates or members of an inmate's family;"
- c. "fraternization or private relationship of staff with inmates,
 parolees, or members of their families. This includes, but is not limited to trading, bartering or
 receiving gifts, money, and favors from either the inmate or the inmate's friends, relatives or
 representative;" and
 - d. "[possessing] controlled substances . . . on state property or in any

state Facility or vehicle."

- 8. In violation of the Department of Corrections Code of Ethics as described above, defendant RONALD S. SMITH received marijuana and other benefits from prisoners and their representatives in exchange for smuggling contraband, including cellular telephones and marijuana, into SCI Graterford.
- 9. From at least in or about late 2005 through at least in or about February 2006, in Philadelphia and Graterford, in the Eastern District of Pennsylvania, and elsewhere, defendant

RONALD S. SMITH, a/k/a "Smitty,"

obstructed, delayed and affected commerce, and the movement of articles and commodities in commerce, and attempted to do so, by extortion, in that defendant SMITH obtained and attempted to obtain payment in various forms, including marijuana, which was not due defendant SMITH and his office, from an inmate known to the grand jury and identified here as C.W., with his consent, under color of official right.

In violation of Title 18, United States Code, Section 1951(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

- 1. Paragraphs 1 through 8 of Count One are incorporated here.
- 2. From at least in or about late 2005 through in or about February 2006, in Philadelphia and Graterford, in the Eastern District of Pennsylvania, and elsewhere, defendants

RONALD S. SMITH, a/k/a "Smitty," and HOWARD L. GRANT, a/k/a "E," a/k/a "Eon," a/k/a "Eyan,"

conspired and agreed, together and with SCI Graterford inmate C.W. and with others known and unknown, to knowingly and intentionally distribute, for remuneration, marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D).

MANNER AND MEANS

It was a part of the conspiracy that:

- 3. Defendant HOWARD L. GRANT distributed marijuana to defendant RONALD S. SMITH for further distribution to others, including SCI Graterford inmate C.W.
- 4. Defendant RONALD S. SMITH supplied SCI Graterford inmate C.W. with marijuana and other contraband in exchange for payment in quantities of marijuana which defendant SMITH sold to others.
- 5. Defendants HOWARD L. GRANT and RONALD S. SMITH used others, including an individual known to the grand jury and identified here as A.L., to smuggle contraband into the prison for C.W. Defendants GRANT and SMITH paid A.L. for the smuggling activity with marijuana.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among others, were committed in the Eastern District of Pennsylvania:

- 1. On or about January 26, 2006, near 22nd and Lehigh Streets in Philadelphia, Pennsylvania, defendant RONALD S. SMITH delivered a cellular telephone charging cord to A.L. for A.L. to smuggle into SCI Graterford for C.W.
- 2. On or about February 11, 2006, defendant HOWARD L. GRANT made arrangements with A.L. for defendant RONALD S. SMITH to deliver approximately one quarter pound of marijuana to A.L. as payment for A.L. to smuggle the charging cord into the prison for C.W.
- 3. On or about February 11, 2006, near 22nd and Lehigh Streets in Philadelphia, Pennsylvania, defendant RONALD S. SMITH delivered approximately one quarter pound of marijuana to A.L. as payment for A.L. to smuggle the charging cord into the prison for C.W.

All in violation of Title 21, United States Code, Section 846.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

- 1. Paragraphs 1 through 8 of Count One are incorporated here.
- From in or about February 2006 through in or about June 2006, in
 Philadelphia and Graterford, in the Eastern District of Pennsylvania, and elsewhere, defendant

HOWARD L. GRANT, a/k/a "E," a/k/a "Eon," a/k/a "Eyan,"

conspired and agreed, together and with SCI Graterford inmate C.W. and with others known and unknown, to knowingly and intentionally distribute, for remuneration, marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D).

MANNER AND MEANS

It was a part of the conspiracy that:

3. Defendant HOWARD L. GRANT attempted to help SCI Graterford inmate C.W. escape from prison by distributing marijuana to A.L., with the assistance of others known and unknown, to pay A.L. for participating in the escape plan.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among others, were committed in the Eastern District of Pennsylvania:

1. On or about April 11, 2006, near 8001 Ogontz Avenue in Philadelphia, Pennsylvania, defendant HOWARD L. GRANT met with A.L. and arranged to pay him \$10,000 in marijuana for helping C.W. attempt to escape from SCI Graterford. Defendant GRANT agreed to pay A.L. \$5,000 in marijuana before the escape attempt and \$5,000 in marijuana if the

escape attempt was successful, which ultimately it was not.

- 2. On or about May 19, 2006, near 840 Cottman Avenue in Philadelphia, Pennsylvania, defendant HOWARD L. GRANT met with A.L. to arrange for the delivery of \$5,000 in marijuana to A.L. as the first portion of his payment for helping C.W. attempt to escape from SCI Graterford.
- 3. On or about May 22, 2006, near 8001 Ogontz Avenue in Philadelphia, Pennsylvania, an individual working for defendant HOWARD L. GRANT delivered to A.L. approximately five pounds of marijuana as the first portion of his payment for helping C.W. attempt to escape from SCI Graterford.

All in violation of Title 21, United States Code, Section 846.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

- 1. Paragraphs 1 through 8 of Count One are incorporated here.
- 2. On or about February 11, 2006, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

RONALD S. SMITH, a/k/a "Smitty," and HOWARD L. GRANT, a/k/a "E," a/k/a "Eon," a/k/a "Eyan,"

knowingly and intentionally distributed, and aided and abetted the distribution, for remuneration, of approximately 99 grams of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D), and Title 18, United States Code, Section 2.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

- 1. Paragraphs 1 through 8 of Count One are incorporated here.
- 2. On or about February 11, 2006, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

RONALD S. SMITH, a/k/a "Smitty," and HOWARD L. GRANT, a/k/a "E," a/k/a "Eon," a/k/a "Eyan,"

knowingly and intentionally distributed, and aided and abetted the distribution of more than five grams of marijuana, that is, approximately 99 grams of marijuana, a Schedule I controlled substance, within 1,000 feet of the real property comprising the Murrell Dobbins Career and Technical High School, a public vocational high school, located at 2150 West Lehigh Avenue in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

- 1. Paragraphs 1 through 8 of Count One are incorporated here.
- 2. On or about May 22, 2006, in Philadelphia, in the Eastern District of

Pennsylvania, and elsewhere, defendant

HOWARD L. GRANT, a/k/a "E," a/k/a "Eon," a/k/a "Eyan,"

knowingly and intentionally distributed, and aided and abetted the distribution, for remuneration, of approximately 2.2 kilograms of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D), and Title 18, United States Code, Section 2.

	A TRUE BILL:	
	FOREPERSON	
PATRICK L. MEEHAN	-	
United States Attorney		